Jury May Get Garrison Case Tuesday

By Iris Kelso
Special to The Washington Post

NEW ORLEANS—The trial of New Orleans District Attorney Jim Garrison has ended. The verdict could hinge on whether the jury believes Pershing Gervais, the burly former policeman who helped federal agents develop the pinball bribery case against Garison.

Attorneys for both sides make their closing arguments Monday, and the case is expected to go to the jury Tuesday.

The trial ended with two stormy days of testimony, mainly by Gervais. Garrison and Gervais wound up shouting at each other as Gervais testified as a government rebuttal witness.

At one point, Gervais accused Garrison of arranging to have him come back from Canada and change his testimony.

"Mr. Garrison paid my bills to bring my family back here to New Orleans," Gervais said.

Garrison, acting as his own attorney, jumped to his feet and said, "That is not true."

Gervais shouted, "That is absolutely true, and I'm looking you right in the eye."

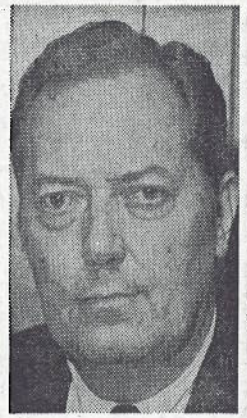
Gervais was Garrison's chief investigator until 1965 and was his closest friend. He helped federal agents make tape recordings of conversations during which he allegedly gave bribe money to Garrison for the pinball industry.

The government found Gervais a job in Canada after arrests were made in the case in June, 1971.

On Friday, the last day of the trial, attorney Guy Johnson testified Gervais was prepared to sell out the government by the summer of 1972.

He said Gervais met with attorneys for pinball operators charged along with Garrison and said he would clear them all for $100,000.

The government backed up Gervais' testimony with tape recordings, testimony by federal agents and marked money traced to Garrison.



JIM GARRISON
. . . facing verdict

The night before Garrison was arrested, the government contends, Gervais gave Garrison $1,000 in bribe money that had been dusted with fluorescent powder. When Garrison was arrested, he had traces of that powder on his hands. Federal agents also found money with serial numbers they had recorded in a desk drawer in Garrison's home.

When the government ended its case, U.S. District Court Judge Herbert Christenberry said there was "abundant evidence, which if the jury believes it would lead to a conviction of all three defendants." Defense witnesses then asked for a mistrial on grounds the remarks showed bias. The judge said later, however, that this was "stock language" often used in denying a motion for a directed verdict.

Garrison's defense was low key. It consisted largely of testimony by judges and assistant district attorneys who testified he prosecuted pinball cases vigorously.

Garrison produced a voice expert, Dr. Louis Gerstman, who testified the tape recordings had been altered. Gerstman, a professor of psychology and speech sciences at New York City College, called the tapes "a fraud and a fabrication."

The effect of Gerstman's testimony was lessened by his affected manner which made members of the jury laugh. The government accused him of "demonstrated incompetence."